

# Proceedings of the Madras Government, Judicial Department.

READ AGAIN—

Proceedings of Government, dated 27th June 1874, No. 1176.

ORDER THEREON, 10th July 1874, No. 1250.

Ordered, that the following Notifications be published in the *Fort Saint George Gazette*, with reference to the instructions contained in the Resolution of the Government of India, Home Department, 12th February 1866, No. 1398, recorded in the Proceedings of this Government, dated 18th April 1866, No. 576.

## (1.) NOTIFICATION.

It is hereby notified for general information, that the provisions of Act XXXI of 1860, (relating to the manufacture, importation, and sale of Arms and Ammunition, and for regulating the right to keep and use the same and to give the power of disarming in certain cases) as extended by Act VI of 1866, are, with the exception of those clauses of Section 32 which apply to the disarming of any District or place, in force in all parts of this Presidency.

2. Act VI of 1866 declares Act XXXI of 1860 to be in force during the pleasure of the Governor-General of India in Council.

3. It also enacts that the license for going armed or carrying arms mentioned in Sections 26, 28, 29 and 30 of the said Act XXXI of 1860, may be granted on such conditions as may be thought necessary, and that on breach of any such condition, or failure to comply therewith, such license shall be null and void.

4. Lastly, it empowers the Government to extend the exemptions provided by Section 27 of Act XXXI of 1860, to such other persons, classes of persons, Districts, and parts of Districts, as he may think proper.

## (2.) NOTIFICATION.

With reference to the Resolution and the Notification of the Government of India, Home Department, (Public), dated 28th November 1873, regarding the importation, transport, &c., of Arms and Ammunition, which were published in *Port St. George Gazette* of the 14th April 1874, it is hereby notified for general information—

*Firstly.*—That in the exercise of the power conferred by the Resolution of the Government of India above referred to, the Governor in Council has authorized the Magistrates of the marginally noted Districts to grant licenses (the fee for which shall be five Rupees in each case) under Section 17, Act XXXI of 1860, to import Arms and Ammunition, *by land*, from any foreign territory adjoining such Districts respectively; it being understood always that Arms, &c., imported by any person in reasonable quantities for his own use do not require a license.

North Arcot.	Kurnool.
South Arcot.	Madura.
Bellary.	Malabar.
South Canara.	Nilgiris.
Coimbatore.	Salem.
Cuddapah.	Tanjore.
Godavery.	Tinnevely.
Kistna.	Trichinopoly.

*Secondly.*—That importation from abroad by sea is allowable at Madras and at the six ports marginally noted; at Madras under license from the Commissioner of Police, and at the other places under license from the Chief Secretary. Applications to the Chief Secretary must be made through the District Magistrate. Arms, &c., imported for private use by any person in reasonable quantities do not require a license.

Bimlipetam.	Tuticorin.
Cocanada.	Calicut.
Nagapatam.	Mangalore.



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*Thirdly.*—That the transshipment of Arms, &c., will be illegal, except under license from one or other (as the case may be) of the two officers named in the preceding paragraph.

*Fourthly.*—That, under the authority vested in him by Section 22 of Act XXXI of 1860, the Governor in Council has been pleased to prohibit:—

(a) The inland transport of fire-arms and parts of fire-arms and of gunpowder and other Ammunition or Military Stores as described in Section 22 of the Act above cited from any place in this Presidency to any place in British India, within the jurisdiction of another Local Government or Administration; and—

(b) The transport, either by land or by sea, of such Arms, &c., from one place in this Presidency to another place within the same, except under the following rules and conditions:—

(1.) Any person desirous of transporting by land any of the above-mentioned articles (except in reasonable quantities for his own private use) from any frontier town of this Presidency adjoining any foreign territory (such *e. g.*, as Kurnool) to any place in British India belonging to another Presidency or Administration, must apply for a pass to the Magistrate of the District in which that town is situated.

(2.) When any person is desirous of transporting by land any such articles (except in reasonable quantities for his own use) from any place in this Presidency, other than such frontier town, to any place in British India belonging to another Presidency or Administration, he must apply for a pass to the Chief Secretary to Government.

(3.) Applications for licenses to transport Arms, &c., either by land or by sea, from one place in this Presidency to another place within this Presidency, must be made, at Madras, to the Commissioner of Police, and in the Mofussil to the Magistrate of the District.

(4.) The application must in every case be in writing; it must specify the town, station, or other place into which the articles are to be transported, and must contain full information as to the quantity, quality, and description of the articles and the purpose for which they are respectively designed.

(5.) The articles covered by the pass shall be taken direct to the place of destination mentioned in the pass without being sold or made use of at any intermediate place.

(6.) On the articles reaching their destination, the person in charge thereof must deliver the pass to the office of the Magistrate of the District within six days.

(7.) A fee of five Rupees will be charged for every license for the inland transport of Arms, &c., from any place in this Presidency to any place in British India within the territories of another Local Government or Administration.

*Fifthly.*—That, with reference to Act XVIII of 1841, His Excellency in Council has been pleased to direct, in supersession of all previous orders on the subject, that licenses for the exportation of Arms, Ammunition, and Military Stores from this Presidency, *i. e.*, to foreign territory, either by land or by sea, and to any British Indian Port (not being a Madras Port) by sea, under the provisions of Section 1 of that Act, shall be issued for the present at Madras by the Commissioner of Police, and for all other places by the Chief Secretary to Government. A fee of five Rupees will be charged for every license for the exportation to foreign territory of Arms, &c., by land. As in all other cases, small quantities for private use need not be covered by a pass. All passes shall be granted subject to the rules laid down in the fourth clause of this Notification; and whenever there is a Resident, Political Agent, Cantonment Magistrate, or other British Official at the place of destination, the pass shall be delivered to him within six days of the arrival there of the articles covered by it.

(By Order of the Right Honorable the Governor in Council.)

D. F. CARMICHAEL,  
Acting Chief Secretary.